

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

E.F., *et al.*,

Plaintiffs,

vs.

MAYOR BILL DE BLASIO, *et al.*,

Defendants.

Civ. No. 19-cv-11150

ORDER TO SHOW CAUSE

Upon the accompanying declarations of Gary S. Mayerson, Esq. and Elisa Hyman, Esq., together with the exhibits attached thereto, and upon the memorandum of law submitted herewith, the First Amended Complaint ("FAC") filed in this action, as well as the exhibits attached thereto,

IT IS HEREBY ORDERED, that Defendants show cause before this Court at the United States Courthouse, Southern District of New York, 40 Foley Square, New York, NY 10007, in Room \_\_\_\_\_ on January \_\_, 2022 at \_\_\_\_\_ o'clock in the a.m./p.m. of that day why a PRELIMINARY INJUNCTION should not issue, pursuant to Rule 65 of the Federal Rules of Civil Procedure, pending final disposition of this action, ordering Defendants, their agents, officers, servants, representatives and/or employees to refrain from taking any further action to (a) implement the Memorandum of Agreement dated December 1, 2021 (FAC, Exhibit

A); (b) implement the Executive Order 91 issued on December 27, 2021 (FAC, Exhibit B); and (c) hire any new impartial hearing officers as employees of OATH, New York City or any of the Defendants (collectively the “OATH Plan”).

IT IS FURTHER ORDERED pursuant to Rule 65(b) of the Federal Rules of Civil Procedure that, pending the hearing and determination of Plaintiffs’ application for a preliminary injunction, Defendants and their agents, officers, servants and/or employees BE, AND HEREBY ARE, TEMPORARILY RESTRAINED from implementing the OATH Plan.

IT IS FURTHER ORDERED that service of this Order upon the New York City Corporation Counsel on or before \_\_\_\_\_ o’clock \_\_a.m./p.m on January \_\_, 2022, shall be deemed good and sufficient service hereof;

IT IS FURTHER ORDERED that service of this Order upon the New York State Attorney General on or before \_\_\_\_\_ o’clock \_\_a.m./p.m. on January \_\_, 2022, shall be deemed good and sufficient service hereof;

IT IS FURTHER ORDERED that any papers in opposition to the application for preliminary injunction shall be served by email on Plaintiffs’ counsel and by hand on this Court on or before \_\_\_\_\_ o’clock \_\_a.m./p.m. on January \_\_, 2022, and any reply papers shall be served by hand on Defendants or its counsel and on this Court on or before \_\_\_\_\_ o’clock a.m./p.m. on January \_\_, 2022; and

IT IS FURTHER ORDERED that Plaintiffs shall not be required to post security in this matter.

Dated: New York, New York  
January \_\_\_\_ 2022

Issued: \_\_\_\_\_ o'clock \_\_ a.m./p.m.

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HON. ANDREW L. CARTER  
U.S.D.J.